

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 19-20836

Hon. Mark A. Goldsmith

v.

RICHARD SOLLARS,

Defendant.

**DEFENDANT’S MOTION TO STRIKE DKT. 139 AND FOR LEAVE
TO FILE CORRECTED MOTION TO SUPPLEMENT PROPOSED
FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Defendant Richard Sollars, through counsel, respectfully moves this Honorable Court to strike Defendant’s motion to supplement proposed findings of fact and conclusions of law (ECF No. 139) and for leave to file the attached corrected motion to supplement proposed findings of fact and conclusions of law. **Exhibit A – Corrected Motion.** As grounds for this motion, Defendant states:

1. On June 5, 2024, Defendant filed Defendant’s motion to supplement proposed findings of fact and conclusions of law (ECF No. 139).
2. After filing his motion, Defendant counsel recognized that he had filed a draft version of the motion with at least three (3) factually inaccurate statements contained in the same.

3. On June 5, 2024, pursuant to Local Rule 7.1, Defendant sought concurrence from opposing counsel to file a motion to strike Defendant's motion to supplement proposed findings of fact and conclusions of law (ECF No. 139) based on Defendant's post-filing identification of the aforementioned inaccurate statements contained in the same. Opposing counsel stated that the government would not oppose a motion to strike.

4. Defendant further sought concurrence from opposing counsel to file a motion for leave to file a corrected motion to supplement proposed findings of fact and conclusions of law. Opposing counsel did not oppose the motion to the extent that Defendant seeks to correct the factual record but nevertheless denied concurrence.

5. Under Fed. R. Crim. P. 12(b)(1), a "party may raise by pretrial motion any . . . request that the court can determine without a trial on the merits."

WHEREFORE, Defendant respectfully requests that this Honorable Court grant his motion to strike Defendant's motion to supplement proposed findings of fact and conclusions of law (ECF No. 139) and for leave to file Defendant's corrected motion to supplement proposed findings of fact and conclusions of law.

[SIGNATURES ON NEXT PAGE]

Respectfully submitted,

s/ Todd F. Flood

TODD F. FLOOD (P58555)

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s/ Vincent J. Haisha

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Email: vhaisha@floodlaw.com

DATED: June 6, 2024

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 5.1

The undersigned counsel certifies that this motion complies with the requirements of Local Rule 5.1. The motion is 14-point typeset, double spaced with one-inch margins.

/s/ Vincent J. Haisha
Vincent J. Haisha (P76506)

CERTIFICATE OF SERVICE WITH LOCAL RULE 7.1

The undersigned counsel certifies that counsel personally spoke to opposing counsel, explaining the nature of the relief to be sought by way of this motion and seeking concurrence in the relief. Opposing counsel indicated that the government would not oppose Defendant's motion to strike but indicated that it could not grant concurrence with respect to Defendant's motion for leave to file a corrected motion to supplement proposed findings of fact and conclusions of law.

/s/ Vincent J. Haisha
Vincent J. Haisha (P76506)

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
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UNITED STATES OF AMERICA,

Plaintiff,

Case No. 19-20836

Hon. Mark A. Goldsmith

v.

RICHARD SOLLARS,

Defendant.

**BRIEF IN SUPPORT OF DEFENDANT’S MOTION TO STRIKE DKT. 139
AND FOR LEAVE TO FILE CORRECTED MOTION TO SUPPLEMENT
PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW**

Defendant’s Brief is filed under the provisions of Fed. R. Crim. P. 12(b)(1).

WHEREFORE, Defendant respectfully requests that this Honorable Court grant his motion to strike Defendant’s motion to supplement proposed findings of fact and conclusions of law (ECF No. 139) and for leave to file Defendant’s corrected motion to supplement proposed findings of fact and conclusions of law.

Respectfully submitted,

s/ Todd F. Flood

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DATED: June 6, 2024

CERTIFICATE OF SERVICE

I, Vincent J. Haisha, attorney at law, certify that on June 6, 2024, I caused a copy of this pleading to be served upon the Clerk of the Court and United States District Attorney via E-File.

/s/ Vincent J. Haisha
Vincent J. Haisha (P76506)